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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

HIIVNH, B

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

03/16/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

**OFFICE ACTION SUMMARY**

☒ Responsive to communication(s) filed on 12/22/97 & Telephone interview on 3/10/98

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**

☒ Claim(s) 1-34 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-34 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

**Application Papers**

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

☒ Notice of Reference Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☒ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

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### DETAILED ACTION

1. The amendments filed on 10/20/97 have been entered into the record. Claims 1-34 are pending in the application.

#### *Claim Rejections - 35 USC § 102*

2. Claims 1-9 and 18-26 are rejected under 35 U.S.C. 102(e) as being anticipated by, or in the alternative as being obvious over US patent #5,710,884 (Dedrick).

- As per claims 1, 18: Dedrick teaches a method for providing a user with access to selected target objects (i.e., "electronic information", col. 4, lines 25) that are accessible via electronic storage media, wherein the user is connected via user terminals 12 and communication connections to a target server system 18 which includes the electronic storage media (figure 1), comprising the steps of:

automatically generating target profiles (i.e., "content database", col. 4, lines 24-29) for the target objects ("electronic information") stored in the storage media of server 18, each of the target profile being generated from the content of the target objects and their associated characteristics (col. 4, lines 24-26),

automatically generating at least a user target profile interest summary for a user at a user terminal (col. 4, lines 1-4), each of the user profile being generated from target profiles associated with ones of the electronic information accessed by the user (col. 4, lines 39-43; col. 5, lines 52-57),

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enabling user access to the stored electronic information via the target profiles and user profiles (col. 20, lines 43-58).

Since client 12 and server 18 can communicate to each other in both directions (see col. 4, lines 24-36), it appears that user terminal is connected to server 18 via a bidirectional communication connections. Even if it is not, bidirectional connections are well known in communication. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known bidirectional connections to Dedrick for establishing bidirectional communication between client 12 and server 18. Motivation of the combining is for increasing transmission efficiency.

- As per claims 2, 19: The method disclosed by Dedrick includes the step of correlating the user profile with the target profiles to identify electronic information (col. 7, lines 9-27; col. 17, lines 50-59).

- As per claims 3, 5, 20, 22: The method disclosed by Dedrick further includes the steps of transmitting a list of identified target objects ("titles) to the user and allowing the user to select and retrieve one of the target objects (col. 9, lines 38-46).

- As per claims 4, 21: Since the method disclosed by Dedrick is implemented in a LAN network, it is implicitly included that the user selection signal is transmitted over a bidirectional communication connection.

- As per claims 6, 23: The list of electronic information ("titles") is transmitted to the user before user selection of the information (col. 9, lines 40-46).

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- As per claims 7, 24: The method disclosed by Dedrick further includes the steps of transmitting a list of identified target objects ("titles) to the user and allowing the user to select and retrieve one of the target objects (col. 9, lines 38-46). Electronic information is transmitted to a server 14 which is closer to the client computer 12 (figure 1).

- As per claims 8-9, 25-26: User terminal 12 communicates with server 14 through a communication connection of the LAN. Inherently, the communication connection of the LAN is a bidirectional connection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-11, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dedrick.

- As per claims 10, 27: Per Dedrick, the target object includes a document having at least one page (col. 4, lines 29-31). Dedrick fails to explicitly teach that the user profile includes data indicating the number of page of the retrieve document accessed by the user. However, since the number of pages accessed by the user is an attribute of the user profile indicating a user preference, it would have been obvious to one of ordinary skill in the art, at the time the invention

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was made, to include the number of pages accessed by the user as a user preference in the user profile. Motivation of the implementation is for filtering and monitoring the amount of data accessible to the user.

- As per claims 11, 28: Dedrick discloses the monitoring user's usage time (col. 8, lines 32-52), updating the user profile according to the monitored activities (col. 5, lines 52-58). Thus it appears that the user profile includes the time attribute as one of the user preference. Even if it is not, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to include time as an attribute of the user profile. Motivation of the implementation is for filtering those subjects the user spend time in most.

5. Claims 12-17, 29-34 are rejected under 35 U.S.C. § 103 as being unpatentable over Dedrick as applied to claims 1 and 18 above, and further in view of Cutting et al (Scatter/Gather: A Cluster-based Approach to Browsing Large Document Collections).

- As per claims 12, 29: Dedrick fails to clearly teach the sorting of target objects and target object characteristics based on similarity of contents, and generating a hierarchical menu that identifies a content in common of target objects and target object characteristics sorted into clusters. However, in the same art of information retrieving, Cutting et al. teach the method for sorting information into clusters based on similarity of its contents and presenting a hierarchical menu that identifies a content in common (Page 319, "Scatter/Gather Browsing"; Page 320, "Document Clustering"). Thus it would have been obvious to one of ordinary skill in the art, at

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the time the invention was made, to combine Cutting's clustering method to Dedrick for enabling a user to identify the desirable target object. Motivation of the combining is for the advantage of being easier and more effective to retrieve information as expressly suggested by Cutting et al in the conclusion remarks (page 325).

- As per claims 13, 15, 30, 32: The summary of the clusters is a profile having cluster attribute data to be considered by the user (page 319, col. 2, section 2). The profile is provided to each cluster produced during each successive clustering iteration (page 319, section 2)

- As per claims 14, 31: Target objects are divided and subdivided into multi-level hierarchy (Page 319, "Scatter/Gather Browsing"; Page 320, "Document Clustering").

- As per claims 16, 33: Document clustering includes identifying of words (Page 320, "Document Clustering").

- As per claims 17, 34: The target object that is closest to the center of the cluster is selected (page 322, section 4). A cluster profile which is a short description of the content of the cluster is generated for the target objects sorted into the cluster (section 4.1). It would appear that the title of the selected target object and a set of words contained in the target profile is implicitly included in the short description of the cluster. Even if it is not the case, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to include the title of the selected target object and a set of words contained in the target profile in the short description of the cluster. Motivation of the implementation is for identifying the cluster.

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*Response to Arguments*

6. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire **THREE MONTHS** from the date of this action. In the event a first response is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than **SIX MONTHS** from the date of this final action.

**Inquires**

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 305-9724 for informal or draft communications. **NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.**

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Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

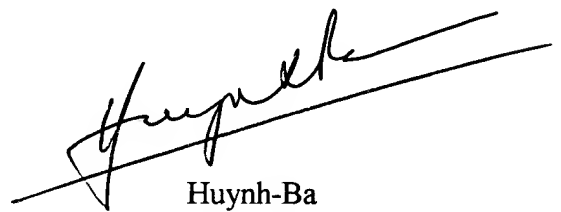
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached on (703) 305-3821.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [[mat.kim@uspto.gov](mailto:mat.kim@uspto.gov)].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

A handwritten signature in black ink, appearing to read 'Huynh-Ba', is written over a horizontal line.

Huynh-Ba  
Patent Examiner  
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3/10/98